

SEP 9 2014

**PROMPT REPLY NECESSARY**  
**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Beverlee J. Roper, Attorney  
Bruce Campbell Law Firm, LLP  
1220 Washington, Suite 202  
Kansas City, Missouri 64105

Re: Request for Information Pursuant to Section 104(e) of CERCLA for  
Former Lyons Diecasting Facility Superfund Site, Buckner, Missouri

Dear Ms. Roper:

The U.S. Environmental Protection Agency seeks the cooperation of your clients, Robert E. Holmberg and Caroline S. Holmberg, in providing information and documents relating to the Former Lyons Diecasting Facility Superfund Site, Buckner, Missouri (Site). The Site is located in Section 18, Township 50 North, Range 29 West, Jackson County, Missouri, commonly known as 2300 North Holly Road, Buckner, Missouri. According to Jackson County, Missouri deed records the Holmberg's currently have title to the Site in a tenancy by the entirety.

Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9601 *et. seq.*, the EPA has documented the release or threatened release of hazardous substances, or pollutants, or contaminants at the Site. Section 104(e) of CERCLA, 42 U.S.C. § 9604(e) provides the EPA broad authority to require information from any party relating to the ability of a person to pay for or to perform a cleanup.

While the EPA seeks your clients' cooperation in this investigation, compliance with this Information Request is required by law. In addition, providing false, fictitious, or fraudulent statements or representations may subject your clients to criminal penalties under 18 U.S.C. section 1001. Section 104 of CERCLA, 42 U.S.C. Section 9604, authorizes the EPA to pursue penalties for failure to comply with that section or for failure to respond adequately to requests for submission of required information.

Some of the information the EPA is requesting may be considered by you to be confidential information or trade secrets. Please be aware that your clients may not withhold the information upon that basis. If you wish the EPA to treat the information confidentially, you must assert a business confidentiality claim covering part or all of the information requested pursuant to sections 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. § 9604(e)(7)(E) and (F), and 40 C.F.R. 2.203(b), by attaching to such information at the time it is submitted a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary" or "company confidential." Information covered by such a claim will be disclosed by the EPA only to the extent and only by means of the procedures set forth in 40 C.F.R. part 2, subpart B. If no such claim accompanies the information when

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it is received by the EPA, it may be made available to the public by the EPA without further notice to you or your clients. This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501 et seq.

The Holmbergs are required to complete and return the enclosed Individual Ability to Pay Claim Financial Data Request Form. Your response to this Request must be mailed within **30 days** of your receipt of this letter to:

Robert W. Richards, Assistant Regional Counsel  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region VII  
11201 Renner Boulevard  
Lenexa, Kansas 66219  
(913) 551-7502

If you have questions about the history of the Site, the nature of the environmental conditions at the Site, or the status of the EPA's investigations, please contact Mike Davis, On-Scene Coordinator, at (913) 551-7328. However, if you have any legal questions or specific questions about this Information Request, please contact Robert W. Richards, Assistant Regional Counsel, at (913) 551-7502. We look forward to your prompt response and appreciate your assistance in this matter.

Sincerely,

Scott Hayes  
Branch Chief  
Emergency Response and Removal South Branch  
Superfund Division

Enclosure: Individual Ability to Pay Claim Financial Data Request Form

U.S. Postal Service

**CERTIFIED MAIL RECEIPT**

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- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
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**IMPORTANT: Save this receipt and present it when making an inquiry.**